

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA**

(1) PAUL EDWARD SIMMONDS,  
et.al.,

Plaintiffs,

vs.

(4) DARIN J. UPTON, et.al.,

Defendants.

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Case No. CIV-10-493-JHP

**JUDGMENT**

Upon consideration of the pleadings and briefs on file herein, the Court finds that the Motion for Summary Judgment of Defendant Jim Duncan in his official capacity as Sheriff, Pushmataha County, Oklahoma, should be granted, and judgment is therefore entered on behalf said Defendant and against Plaintiffs.

Dated this 6th day of January, 2012.

  
James H. Payne  
United States District Judge  
Eastern District of Oklahoma